

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

VONETTA BLUE,

Plaintiff,

-VS-

ALTICE USA, INC.; CSC HOLDINGS, LLC;
John Doe, 1-10; Jane Doe, 1-10; John Doe
Corp., 1-10; fictitiously named,

Defendants.

NOTICE OF REMOVAL

To: Clerk of the Court
United States District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street Room 4015
Newark, New Jersey 07101

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1332 and 1441, Defendants Altice USA, Inc. (“Altice”) and CSC Holdings, LLC (“CSC”) (collectively “Defendants”), by their attorneys, Seyfarth Shaw LLP, hereby remove the action filed by Plaintiff Vonetta Blue (“Plaintiff”) identified as *Vonetta Blue v. Altice USA, Inc., et al.*, Docket No. MID-L-002489-22 (the “State Court Action”), from the Superior Court of New Jersey, Law Division, Middlesex County, to the United States District Court for the District of New Jersey. In support of this Notice of Removal, Defendants state as follows:

INTRODUCTION

1. On or about May 24, 2022, Plaintiff filed a Complaint (the “Complaint”) against Defendants in the Superior Court of New Jersey, Law Division, Middlesex County. A true and correct copy of the Complaint filed in the State Court Action is attached hereto as “**Exhibit A**”.

2. The Complaint pleads claims pursuant to the New Jersey Law Against Discrimination, N.J.S.A. § 10:5-1, *et seq.*, the New Jersey Conscientious Employee Protection Act, N.J.S.A. § 34:19-1, *et seq.* and the New Jersey Wage Payment Law, N.J.S.A. § 34:11-56a, *et seq.* Defendants deny these allegations.

3. Defendants became aware of the State Court Action on or about May 24, 2022, when the undersigned noticed the case had been filed through a search of the public court dockets.

4. Defendants have not yet been served in the State Court Action. The docket sheet does not reflect that any Defendant has been served in the State Court Action or that the Defendants have filed any pleadings in the State Court Action. A true and correct copy of the docket sheet is attached hereto as “**Exhibit B.**”

5. Pursuant to 28 U.S.C. § 1446(b), actions may be removed within thirty (30) days “after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based, or within 30 days after the service of summons upon the defendant if such initial pleading has then been filed in court and is not required to be served on the defendant, whichever period is shorter.”

6. Therefore, this action is removable as thirty (30) days have not passed since Defendants became aware of the Complaint.

GROUND FOR REMOVAL

7. This action may be removed under 28 U.S.C. § 1441(a) because this Court has original jurisdiction over this action under 28 U.S.C. § 1332(a) in that there is complete diversity of citizenship between the parties and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

8. As alleged in the State Court Action, Plaintiff is a citizen of the State of New Jersey. Complaint ¶ 1.

9. Altice is a corporation organized under the laws of the State of Delaware with its principal place of business in Long Island City, New York. Complaint ¶ 3; Declaration of Marie Quatela (“Quatela Decl.”) ¶ 2.

10. CSC is a limited liability company whose sole member is Cablevision Systems Corporation, a corporation organized under the laws of the State of Delaware with a principal place of business in Long Island City, New York. Complaint ¶ 3; Quatela Decl. ¶ 3.

11. To the extent the Complaint names John and Jane Does as catch-all defendants, they should be disregarded for purposes of removal. *See* 28 U.S.C. § 1441(a) (“For purposes of removal, ... the citizenship of parties sued under fictitious names shall be disregarded.”).

12. All Defendants consent to the removal of the action.

13. It is clear from the face of the Complaint that, accepting the allegations as true, the amount in controversy in this action could exceed the sum or value of \$75,000, exclusive of interest and costs. 28 U.S.C. § 1332(a).

14. In her Complaint, Plaintiff demands compensatory damages, all lost wages, including back pay and front pay, vacation pay, benefits, emotional distress damages, punitive damages, attorneys’ fees, and costs of suit. Compl., ¶¶ First Count - Third Count; Wherefore Clause.

15. In the Third Count, Plaintiff also seeks to recover \$14,136.00 in wages allegedly owed to her. Complaint, ¶ Third Count.

16. Although Defendants deny that they should be liable for any damages whatsoever, and do not admit Plaintiff’s allegations, the claimed lost past and future earnings, compensatory

damages for emotional distress, liquidated damages, punitive damages, and attorney's fees sought by Plaintiff, establish that the amount in controversy exceeds the \$75,000 threshold for purposes of removal.

17. Because there is complete diversity of citizenship between Plaintiff and Defendants, and because the amount in controversy exceeds \$75,000, this Court has jurisdiction over the action pursuant to 28 U.S.C. §§ 1332(a) and 1441(b).

18. Based upon the allegations in the Complaint, and without waiving any challenges with respect to same, venue is proper in this Court because the State Court Action was filed in the Superior Court of New Jersey, Law Division, Middlesex County.

19. As of the below date, no discovery has been issued or commenced in the State Court Action.

NOTICE OF FILING OF REMOVAL IN SUPERIOR COURT OF NEW JERSEY

20. This Notice of Removal is being filed in the United States District Court for the District of New Jersey, Middlesex County Vicinage, because this is the district court vicinage in which the State Court Action is pending. 28 U.S.C. § 1441(a).

21. Pursuant to 28 U.S.C. § 1446, Defendants will file written notice of the filing of this Notice of Removal, together with a copy of the Notice of Removal, with the Clerk of the Superior Court of New Jersey, Middlesex County, Law Division. Defendants also will serve a copy of the notice filed with the Superior Court of New Jersey on counsel for all adverse parties.

22. By filing this Notice of Removal, Defendants neither admit any factual allegations, nor waive any affirmative defenses and/or preliminary objections that may be available to them.

23. Should any question arise as to the propriety of this removal, Defendants request the opportunity to brief any disputed issues and to present oral argument in support of their position.

WHEREFORE, Defendants respectfully request that the above-referenced civil action proceed in the United States District Court for the District of New Jersey, Middlesex Vicinage, as an action properly removed to that court.

Respectfully submitted,
SEYFARTH SHAW LLP
Attorneys for Defendants,
Altice USA, Inc. v. CSC Holdings, LLC

By: /s/ Cameron Smith

Cameron Smith
Joseph M. Vento
620 Eighth Avenue
New York, New York 10018
Tel.: (212) 218-5500

Dated: June 2, 2022

CERTIFICATION PURSUANT TO L. CIV. R. 11.2

I certify that, to the best of my knowledge, this matter is not the subject of any other action pending in any court or of any pending arbitration or administrative proceeding.

SEYFARTH SHAW LLP
Attorneys for Defendants,
Altice USA, Inc. v. CSC Holdings, LLC

By: /s/ Cameron Smith

Cameron Smith
Joseph M. Vento
620 Eighth Avenue
New York, New York 10018
Tel.: (212) 218-5500

Dated: June 2, 2022

CERTIFICATE OF SERVICE

I, Joseph M. Vento, hereby certify that on the below date, I caused a true and correct copy of the foregoing Notice of Removal, with exhibits and all accompanying documents, to be electronically filed with the Clerk of the Court via the Court's CM/ECF system, and by Federal Express upon the following counsel for Plaintiff:

James Harrison Banks, Esq.
BANKS LAW OFFICE, LLC
One University Plaza Drive - Suite 412
Hackensack, NJ 07601
Attorneys for Plaintiff Vonetta Blue

Respectfully submitted,

/s/ Joseph M. Vento

Joseph M. Vento, Esq.

Dated: June 2, 2022